

JUL 28 2004

PTO/SB/97 (09-03)

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on July 28, 2004
Date

Jill R. Clarke
Signature

Jill R. Clarke

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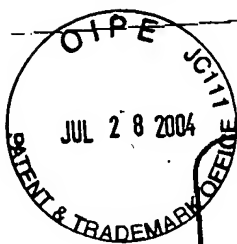
Attachments:

1. Form PTO/SB/21 Transmittal Form (1 pg.);
2. Fee Transmittal for FY 2004 with authorization to charge Deposit Account No. 50-1885 in the amount of \$1782 (\$130, surcharge; \$770 filing fee; and \$882 claims fee) (1 pg. + 1 pg. copy);
3. Executed inventor Declaration (2 pgs.);
4. Photocopy of executed Power of Attorney from Assignee IRM LLC to Timothy L. Smith (1 pg.);
5. Executed Statement Under 37 CFR 3.73(b) (1 pg.);
6. Photocopy of executed Assignment from David C. Tully to IRM LLC (2 pgs.);
7. Executed Power of Attorney and Correspondence Address Indication Form (1 pg.);
8. Photocopy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); and
9. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.8 (1 pg.).

Total pages (including this paper): 13

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (04-04)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/799,380	
	Filing Date	March 11, 2004	
	First Named Inventor	David C. Tully	
	Art Unit	1614	
	Examiner Name		
Total Number of Pages in This Submission	13	Attorney Docket Number	38-002330US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Fee Transmittal for FY 2004 with authorization to charge Deposit Account No. 50-1885 in the amount of \$1782 (\$130, surcharge; \$770 filing fee; and \$882 claims fee) (1 pg. + 1 pg. copy); 2. Executed Inventor Declaration (2 pgs.); 3. Photocopy of executed Power of Attorney from Assignee IRM LLC to Timothy L. Smith (1 pg.); 4. Executed Statement Under 37 CFR 3.73(b) (1 pg.); 5. Photocopy of executed Assignment from David C. Tully to IRM LLC (2 pgs.); 6. Executed Power of Attorney and Correspondence Address Indication Form (1 pg.); 7. Photocopy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); and 8. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.8 (1 pg.).
Remarks: The Director is authorized to charge any additional fees to Deposit Account No. 50-1885.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Timothy L. Smith, Reg. No. 35,387
Signature	<i>Timothy L. Smith</i>
Date	July 28, 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (703) 745-4060 on the date shown below.		
Typed or printed name	Jim R. Clarke	Date
Signature	<i>Jim R. Clarke</i>	July 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. PATENT & TRADEMARK OFFICE
JUL 28 2004

PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1782

Complete if Known

Application Number 10/799,360
Filing Date March 11, 2004
First Named Inventor David C. Tully
Examiner Name
Art Unit 1614
Attorney Docket No. 36-002330US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number

50-1885

Deposit
Account
Name

Genomics Institute of the Novartis Research
Foundation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	365	Utility filing fee	770		
1002	340	2002	170	Design filing fee			
1003	530	2003	265	Plant filing fee			
1004	770	2004	365	Reissue filing fee			
1005	160	2005	80	Provisional filing fee			

SUBTOTAL (1)

(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
69	-20 **	49	882
3	-3 **	0	0
Multiple Dependent			0

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20			
1201	96	2201	43	Independent claims in excess of 3			
1203	290	2203	145	Multiple dependent claim, if not paid			
1204	98	2204	43	Reissue independent claims over original patent			
1205	18	2205	9	Reissue claims in excess of 20 and over original patent			

SUBTOTAL (2)

(\$ 882)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath or cover sheet	130		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
1053	130	1053	130	Non-English specification			
1812	2,520	1812	2,520	For filing a request for reexamination			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
1251	110	2251	55	Extension for reply within first month			
1252	420	2252	210	Extension for reply within second month			
1253	950	2253	475	Extension for reply within third month			
1254	1,480	2254	740	Extension for reply within fourth month			
1255	2,010	2255	1,005	Extension for reply within fifth month			
1401	330	2401	165	Notice of Appeal			
1402	330	2402	165	Filing a brief in support of an appeal			
1403	290	2403	145	Request for oral hearing			
1451	1,510	1451	1,510	Petition to institute a public use proceeding			
1452	110	2452	55	Petition to revive - unavoidable			
1453	1,330	2453	665	Petition to revive - unintentional			
1501	1,330	2501	665	Utility issue fee (or reissue)			
1502	480	2502	240	Design issue fee			
1503	640	2503	320	Plant issue fee			
1460	130	1460	130	Petitions to the Commissioner			
1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)			
1806	180	1806	180	Submission of Information Disclosure Sheet			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))			
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))			
1801	770	2801	385	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY

Name (Print/Type)

Timothy L. Smith

Registration No.
(Attorney/Agent)

35,367

Telephone

858-812-1547

Signature

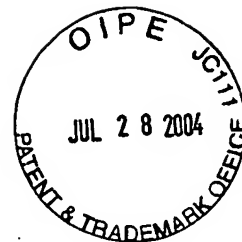
Date

July 28, 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/799,360	03/11/2004	David Tully	36-002330US

CONFIRMATION NO. 6378

22798

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

P O BOX 458

ALAMEDA, CA 94501

FORMALITIES LETTER

OC000000012808460

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JUN 02 2004

Date Mailed: 05/28/2004

Quine Intellectual Property Law Group, P.C.

COPY

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

RESPONSE DUE July 28/2004

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$882 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1782 for a Large Entity

08/02/2004 CNGUYEN 00000093 501885 10799360
01 FC:1001 770.00 DA
02 FC:1051 130.00 DA
03 FC:1202 882.00 DA

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$882

DOCKETED

jm 6/2/04

- \$882 for 49 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. Ketsels
Customer Service Center
Initial Patent Examination Division (703) 308-1202
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